

ESTTA Tracking number: **ESTTA46272**

Filing date: **09/26/2005**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91164028
Party	Defendant Jay-Y Enterprise Co., Inc. Jay-Y Enterprise Co., Inc. 632 New York Drive Pomona, CA 91768
Correspondence Address	MEEI-LING CHEN MEEI-LING CHEN, PLC 18472 EAST COLIMA ROAD, SUITE 208 ROWLAND HEIGHTS, CA 91748
Submission	Stipulated Dismissal of Opposition
Filer's Name	Constance R. Lindman
Filer's e-mail	crlindman@overhauser.com
Signature	/Constance R. Lindman/
Date	09/26/2005
Attachments	Biohazard Withdrawal of Opposition.pdf (2 pages)

YELLOWSTONE IMPORTS, INC.,)	STIPULATED WITHDRAWAL OF
Opposer)	OPPOSITION WITH PREJUDICE
V.)	
JAY-Y ENTERPRISE CO., INC.,)	Opposition No.: 91164028
)	Serial No.: 76576676
Applicant)	
)	

Defendant Applicant Jay-Y Enterprise Co., Inc. and Opposer Yellowstone Imports, Inc., hereby stipulate that Opposer's opposition to Application Serial No. 76/576,676 be withdrawn with prejudice. Applicant and Opposer have determined that the opposition was filed in error as a result of an application serial number inconsistency and that there is, in fact, no likelihood of confusion between the marks at issue therein. Therefore, the opposition should be withdrawn with prejudice.

Respectfully submitted:

Connie Li

Constance R. Lindman
Attorney for Applicant
c/o Overhauser Law Offices, LLC
737 W. Green Meadows Drive, Suite 300
Greenfield, IN 46140

I hereby certify that a true and complete copy of the forgoing STIPULATED
WITHDRAWAL OF OPPOSITION has been served on:

Jane Linowitz
Levinsohn, Berger & Langsam, LLP
805 Third Avenue, Floor 19
New York, NY 10022-7598

via first class mail this 30th day of June, 2005.

A handwritten signature in cursive script, appearing to read "Constance R. Lindman".

Constance R. Lindman
Attorney for Applicant